

107TH CONGRESS  
1ST SESSION

# H. R. 2559

To amend chapter 90 of title 5, United States Code, relating to Federal long-term care insurance.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 18, 2001

Mr. SCARBOROUGH (for himself, Mr. DAVIS of Illinois, Mr. TOM DAVIS of Virginia, Mr. CUMMINGS, Mrs. MORELLA, and Mr. WAXMAN) introduced the following bill; which was referred to the Committee on Government Reform, and in addition to the Committees on the Judiciary, and Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend chapter 90 of title 5, United States Code, relating to Federal long-term care insurance.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

### 3   **SECTION 1. DEFINITION OF AN ANNUITANT.**

4       Paragraph (2) of section 9001 of title 5, United  
5   States Code, is amended to read as follows:

6               “(2)   ANNUITANT.—The   term   ‘annuitant’  
7       means—

“(A) any individual who would satisfy the requirements of paragraph (3) of section 8901 if, for purposes of such paragraph, the term ‘employee’ were considered to have the meaning given to it under paragraph (1) of this subsection; and

“(B) any individual who—

“(i) satisfies all requirements for title to an annuity under subchapter III of chapter 83, chapter 84, or any other retirement system for employees of the Government (whether based on the service of such individual or otherwise), and files application therefor;

“(ii) is at least 18 years of age; and

“(iii) would not (but for this subparagraph) otherwise satisfy the requirements of this paragraph.”.

**SEC. 2. PREEMPTION.**

Section 9005 of title 5, United States Code, is amended—

(1) by inserting “(a) CONTRACTUAL PROVISIONS.—” before “The”; and

(2) by adding at the end the following:

“(b) PREMIUMS.—

1           “(1) IN GENERAL.—No tax, fee, or other mone-  
2           tary payment may be imposed or collected, directly  
3           or indirectly, by any State, the District of Columbia,  
4           or the Commonwealth of Puerto Rico, or by any po-  
5           litical subdivision or other governmental authority  
6           thereof, on, or with respect to, any premium paid for  
7           an insurance policy under this chapter.

8           “(2) RULE OF CONSTRUCTION.—Paragraph (1)  
9           shall not be construed to exempt any company or  
10          other entity issuing a policy of insurance under this  
11          chapter from the imposition, payment, or collection  
12          of a tax, fee, or other monetary payment on the net  
13          income or profit accruing to or realized by such enti-  
14          ty from business conducted under this chapter, if  
15          that tax, fee, or payment is applicable to a broad  
16          range of business activity.”.

17 **SEC. 3. EFFECTIVE DATE.**

18          The amendments made by this Act shall take effect  
19          as if included in the enactment of section 1002 of the  
20          Long-Term Care Security Act (Public Law 106–265; 114  
21          Stat. 762).

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